

PRESIDENT: The question is the adoption of the Schmit amendment. All those in favor vote aye, opposed nay. Record, Mr. Clerk, please.

CLERK: 25 ayes, 0 nays on adoption of Senator Schmit's amendment, Mr. President.

PRESIDENT: The Schmit amendment is adopted. Anything further, Mr. Clerk?

CLERK: Yes, sir, I do. Senator Wesely would move to amend the bill. (Senator Wesely's amendment appears on page 380 of the Legislative Journal.)

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Thank you. I'm sorry, but when the Rogers amendment was maintained I identified the problem. When you have a \$500 permit fee and a \$500 fine, nobody is going to get a permit. So we do need to increase the penalty and right now it's a Class III. This would increase it to a Class II misdemeanor which would go from 500 to 1,000 dollars. So we do need to have that amendment or the bill won't be effective. So I would ask for support for that amendment, please.

PRESIDENT: Thank you. Senator Abboud, please.

SENATOR ABOUD: Senator Wesely, could you explain that again?

PRESIDENT: Senator Wesely, please.

SENATOR WESELY: Well, the current penalty is a Class III misdemeanor with a maximum fine of \$500. When we agreed to the Rogers amendment to have a permit fee of \$500, who is going to take out a permit if they know the worst they can get is a \$500 fine? So to keep the penalties...the penalty has to be worse than the permit fee or you are not going to be able to get anybody to comply.

SENATOR ABOUD: Is there also some jail time that is involved with a Class III?

SENATOR WESELY: Yes, there is jail time but that is...okay, let's see, Class III is a three-month jail time and six-month is